

FAA Rulemaking Process

Administrative Procedures Act
governs regulatory process for all agencies

Pre-Rulemaking Activities

Optimal Rulemaking Timeline – 36 months

20 months

16 month Congressional Requirement on FAA

~3-24 months

~9-12 months

4.5 months

~3 months

11.5 months

4.5 months

- Prioritization
- International Considerations
- Committees (ARC/ARAC)

NPRM
Regulatory Evaluation
FAA Coordination

Executive Coordination
OST 45 Days
OMB 90 Days
EO 12866

NPRM Issued

Comment Period

Comment Disposition

Final Rule & Regulatory Evaluation

Executive Coordination
OST 45 Days
OMB 90 Days
EO 12866

Final Rule Issued

Drivers for Pre Rulemaking

- EO 13771- Reducing Regulations/Cost
- EO 13609 – International Cooperation
- Congressional mandates
- NTSB Recommendations
- Petitions for Rulemaking
- Emerging Risk

Requirements for Consideration for NPRM & Regulatory Evaluation

- TRADE Agreement Act
- Small Business Regulatory Enforcement Fairness Act
- Regulatory Flexibility Act
- Unfunded Mandate Reform Act
- Paperwork Reduction Act
- National Environmental Policy Act
- Trade Agreements Act
- OMB Circular A-4
- EO 13132 – Federalism
- EO 13211 – Energy Supply, Distribution or Use
- EO – 2 for 1; Controlling Regulatory Costs
- EO 13777 – Enforcing the Regulatory Reform Agenda